

**Foster Care Services –
Chafee Independent Living
Policies and Procedures**

Service Chapter 624-10

**North Dakota Department of Human Services
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Foster Care – Chafee Independent Living
Policies and Procedures

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**Foster Care Services – Chafee Independent Living
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Independent Living 624-10-01-05

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Independent living is an ongoing process that results with youth having the resources and skills to live successfully as an adult, thus “independent” of the various systems. Youth do not “attend” independent living, nor do they “complete” it. Independent living is also not a “permanency goal”.

It is the mission of the Chafee Foster Care Independence Program to ensure that youth involved in the foster care system receive services and support which will enable them to successfully transition to living independently.

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**Chafee Foster Care Independence Program (CFCIP)
624-10-01-10**

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The Independent Living Initiative was authorized in 1986 under Title IV-E of the Social Security Act. In 1999, the Foster Care Independence Act of 1999 was passed, replacing the earlier initiative, and expanded on the services and supports available to foster youth. In 2001, Congress amended the “Promoting Safe and Stable Families Act; Title 2, Section 201 of this Act established the Educational and Training Voucher (ETV) Program. The ETV component offers former foster youth the opportunity to further their education.

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**State Chafee Independent Living Program, a.k.a.
State Chafee Foster Care Independence Program
624-10-01-15**

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The Department of Human Services, Children and Family Services Division, will administer the Chafee Grant and oversee the Chafee Independent Living Programs state-wide.

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**Chafee Independent Living Administrator
624-10-01-20**

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Employee of the Department of Human Services, Children and Family Services Division. The Independent Living Administrator is responsible for managing the Chafee Foster Care Independence Program grant and for overseeing the Regional Chafee Independent Living Programs.

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**Regional Chafee Independent Living Programs, a.k.a.
Chafee Foster Care Independence Programs
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The Chafee Independent Living Program is located within each of the eight regions throughout the state. The program is state-supervised and administered by a county and/or private provider agency.

Regional Chafee Independent Living Programs are responsible for providing programming to all eligible foster care youth within the region, regardless of the county the youth resides in.

The Chafee IL Coordinator from the region in which the custodial county is located, is responsible for providing programming to eligible youth, regardless of the location of the youth's placement. However, if a transfer from one region to another would be in the best interest of the youth, a Chafee case transfer between regions may occur. This is to be determined by the Chafee IL Coordinators.

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**Chafee Independent Living Coordinators a.k.a.
Chafee IL Coordinators 624-10-01-30
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Chafee IL Coordinators are employees of a designated county or private provider agency, and are responsible for implementation of the Chafee Independent Program within an assigned region.

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Foster Care 624-10-01-35
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For the purposes of this policy, the definition of “foster care” is as follows: 24 hour substitute care for children placed away from their parents or guardians and for whom the state agency has placement and care responsibility. (Definition taken from “Making Sense of the ASFA Regulations, American Bar Association, p220).

This includes, but is not limited to:

1. Placement in foster family homes
2. Relative or kinship foster care homes
3. Residential Child Care Facilities
4. Emergency shelters
5. Residential Treatment Centers
6. Pre-adoptive homes

Detention facilities, such as the Youth Correctional Center, and any other facility operated primarily for the detention of children who have been determined delinquent are not considered foster care placements. Thus, these youth are not eligible for Chafee programming while in the stated placement.

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"Aging Out of Foster Care" Definition 624-10-01-40
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For the purpose of this manual, "Aging out of Foster Care" is defined as: A youth discharged from foster care at the age of 18 or older.

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Trial Home Visits in Relation to "Aging Out of Foster Care" 624-10-01-40-05

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A youth will meet the definition of "Aging Out of Foster Care," if he/she is discharged from a licensed foster care placement at the age of 17 ½ to 18 years of age, placed on "Trial Home Visit" status, and all of the following are present:

1. The county/DJS retains custody until the age of 18.
2. The youth is open within the foster care system on their 18th birthday.
3. There is a current court order at the time the youth turns 18 years of age.
4. Child and Family Team Meetings are occurring as required, with the latest being held within the 3 months prior to the 18th birthday.
5. There is a current care plan when the youth turns 18 with the "Trial Home Visit" clearly documented.

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Flexible Funds 624-10-01-45
(9/15/06 ML 3048)

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Flex Funds are payments made, or tangible resources given, directly to the eligible youth, or made to a vendor on behalf of the eligible youth. Flex Funds fall into two categories: "General" or "Room and Board". Eligibility requirements vary for the two categories.

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**Education and Training Voucher a.k.a. ETV
624-10-01-50**

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The Education and Training Voucher provides financial resources specific to meet the education and training needs of youth who meet Foster Care alumni eligibility.

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Kinship Guardianship 624-10-01-55
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The federal kinship guardianship definition follows the "relative" placement definition, "a person related by blood, marriage or adoption, or a godparent, or family friend with whom the child has a close relationship." (www.fosteringconnections.org)

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**Another Planned Permanent Living Arrangement
a.k.a. APPLA 624-10-01-60
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Another Planned Permanent Living Arrangement (APPLA) is a permanency alternative permitted under ASFA that allows a young person to have a "permanent home" that is not his home of origin, adoption, guardianship, or kinship care. This generally is not considered as legally or emotionally secure as the three principle permanency options. (ND State Policy 624-05-15-115-30)

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Authority References 624-10-05
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1. Foster Care Independence Act of 1999
2. Promoting Safe and Stable Families Act; Title 2, Section 201
3. "Making Sense of the ASFA Regulations," American Bar Association
4. "Frequently Asked Questions III," The National Foster Care Coalition
5. Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections)

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**Purposes of the Chafee Foster Care Independence
Program 624-10-10**

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Youth aging out of foster care are in unique and an often difficult position. Some youth have been in foster care for a number of years. Upon discharge from foster care they find themselves alone, without the previous supports provided by the child welfare system. They are expected to live on their own, go to school, hold down a job, pay bills, find medical care, and attend to all of their basic needs. This is difficult for most as it is a time when young people who have not been in foster care are still under the protective care of their parents. Far too many youth discharged from foster care find themselves without adequate supports and permanent connections; facing homelessness, unemployment, single parenthood, mental health/addiction issues, and legal difficulties. The foster care system's commitment to foster youth cannot end when they are discharged from foster care. The overall purpose of the Chafee Foster Care Independence Program is to improve the lives of youth aging out of foster care.

It is the mission of the Chafee Foster Care Independence Program to ensure that youth involved in the foster care system receive services and support which will enable them to successfully transition to live independently.

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**The Seven Purposes of the Chafee Foster Care
Independence Program 624-10-10-05**

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1. To identify children who are likely to remain in foster care until 18 years of age and to help these children make the transition to self-sufficiency by providing services such as assistance in obtaining a high school diploma, career exploration, vocational training, job placement and retention, training in daily living skills, training in budgeting and financial management skills, substance abuse prevention, and preventive health activities (including smoking avoidance, nutrition education, and pregnancy prevention);
2. To help children who are likely to remain in foster care until 18 years of age receive the education, training, and services necessary to obtain employment;
3. To help children who are likely to remain in foster care until 18 years of age prepare for and enter post secondary training and educational institutions;
4. To provide personal and emotional support to children aging out of foster care, through mentors and the promotion of interactions with dedicated adults;
5. To provide financial, housing, counseling, employment, education and other appropriate support and services to former foster care recipients between 18 and 21 years of age to complement their own efforts to achieve self-sufficiency and to assure that program participants recognize and accept their personal responsibility for preparing for and then making the transition from adolescence to adulthood; and responsibility for preparing for and then making the transition from adolescence to adulthood;

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6. To make available vouchers for education and training, including post-secondary training and education, to youths who have aged out of foster care; and
7. To provide the services referred to in this subsection to children who, after attaining 16 years of age, have left foster care for kinship guardianship or adoption.

To make available vouchers for education and training, including post-secondary training and education, to youths who have aged out of foster care.

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**Chafee Foster Care Independence Program
Outcomes 624-10-15**

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The goal of ND Foster Care is that every youth who lived in foster care as a teenager will meet the seven established Chafee outcomes by age 21.

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**The Seven Outcomes of the Chafee Foster Care
Independence Program 624-10-15-05**

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1. All youth leaving the foster care system shall have **sufficient economic resources to meet their daily needs.**
2. All youth leaving the foster care system shall have a **safe and stable place to live.**
3. All youth leaving the foster care system shall attain **academic or vocational/educational goals** that are in keeping with the youth's abilities and interests.
4. All youth leaving the foster care system shall have a **sense of connectedness** to persons and community.
5. All youth leaving the foster care system shall **avoid illegal/high risk behaviors.**
6. All youth leaving the foster care system shall **postpone parenthood** until financially established and emotionally mature.
7. All youth leaving the foster care system shall have **access to physical and mental health services.**

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The Wraparound Philosophy 624-10-20
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Children and Family Services has adopted the **Wraparound Process** as the philosophical base for the overall Foster Care service delivery system, including the Chafee Independent Living Program. The following is an outline of the values, principles and beliefs of the Wraparound Process related to independent living:

- Unconditional commitment to working with families/youth is provided.
- Families/youth are full and active partners in the process.
- Services are culturally responsive.
- This is a team driven process.
- Services focus on strengths and competencies of families/youth, not on deficiencies and problems.
- Service plans are outcome based.
- Services and plans are individualized to meet the needs of the families/youth.
- Resources and supports, both in and out of the family are utilized for solutions.
- People are the greatest resource to one another.

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**Components of the ND Chafee Foster Care
Independence Program 624-10-25**

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There are three Components to the Chafee Foster Care Independence Program.

1. Current Foster Care Youth Component
2. Foster Care Alumni Component
3. Education and Training Voucher (ETV) Program Component

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**Current Foster Care Youth Component 624-10-25-05
(9/15/06 ML 3048)**

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This component consists of those youth who are currently in foster care.

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Current Foster Care Youth (Priority I)
624-10-25-05-05

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It is a requirement that custodians refer all youth who meet the following criteria to a regional Chafee Independent Living Program.

It is a requirement that the Chafee Independent Living Program provides programming to youth meeting the following criteria:

The youth:

1. Is currently in foster care, and
2. Is age 16 or older, and
3. Has been identified as “likely to age out of foster care”, and
4. Agrees to be an active Chafee participant.

The Chafee IL Coordinator and the custodian will work collaboratively to ensure that these youth are offered participation in the Chafee Independent Living Program. However, it is the custodian’s responsibility to initiate the referral.

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Current Foster Care Youth (Priority II)
624-10-25-05-10

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Current foster youth, age 14 or older, and **not** identified as “likely to age out of foster care” will be considered for participation in the Chafee Independent Living Program as a "priority two" youth. These requests will be considered based on the youth's individualized needs and program availability.

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Foster Care Alumni Component 624-10-25-10
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This component consists of youth who have been discharged from foster care.

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Foster Care Alumni (Priority I) 624-10-25-10-05
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It is a requirement that the Chafee Independent Living Program provides programming to youth meeting the following criteria:

The youth:

1. "Aged out of foster care" at the age 18 or older, or
2. Exited foster care because he/she was adopted or entered kinship guardianship after the age of 16, and
3. Has not reached the age of 21, and
4. Agrees to be an active Chafee participant.

Youth who refuse services or refuse to be active participants will not be provided Chafee Independent Living programming or flex funding.

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Foster Care Alumni (Priority II) 624-10-25-10-10
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Youth who were in foster care at the age of 16 or older, however did not age out of foster care, will be considered for participation in the Chafee Independent Living Programs as a "priority two" youth.

These requests will be considered based on the youth's individualized needs and program availability.

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**Education and Training Voucher (ETV) Component
624-10-25-15**

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The Chafee Education and Training Voucher Program provides resources specifically to meet the education and training needs of Foster Care Alumni.

The ETV Program was established by Congress as part of reauthorization of the Promoting Safe and Stable Families Act, known as the “Promoting Safe and Stable Families Amendments of 2001” (P.L 107-133). Title 2, Section 201 of the Act amended the Foster Care Independence Act by adding ETVs as the sixth purpose of the Chafee Foster Care Independence Program.

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ETV Eligibility 624-10-25-15-05
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Youth meeting all of the following criteria will be considered for an Education and Training Voucher Award.

1. Youth who were discharged from foster care on their 18th birthday, or continue to be in foster care past their 18th birthday, provided they were in foster care for at least one year, and have not reached their 21st birthday at the time of application.
2. Youth who were adopted or entered kinship guardianship from foster care after age 16, but have not reached their 21st birthday.
3. Youth participating in the ETV Program on their 21st birthday can remain eligible until they turn 23, as long as they are enrolled and making satisfactory progress toward completing their post-secondary education or training program.
4. Youth who are United States Citizens or qualified non-citizens.
5. Youth who are, or will be enrolled into a program at an accredited or pre-accredited college, university, technical or vocational school.
6. Youth who agree to be an active participant in the Chafee Independent Living Program while they are receiving ETV funding.

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**Miscellaneous Information Pertaining to the ETV
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**Military Duty 624-10-25-15-10-05
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National Guard Soldiers who are attending an Institution of Higher Education program funded by an ETV when they are called to active duty will be eligible for an award upon their return, regardless of their age at return, providing they re-enroll at an accredited Institution of Higher Education within 3 months of their return. The maximum “age” requirement will be extended by the amount of time they were on active duty.

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**Attendance at an Institution of Higher Education
624-10-25-15-10-10**

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Recipients of the ETV must attend an Institution of Higher Education as defined in section 102 of the Higher Education Act of 1965. All schools that meet this definition have been assigned a Title IV federal school code number.

Institution of Higher Education:

- Awards a Bachelors Degree or is not less than a two year program awarding an Associate's Degree, or
- Provides not less than a one year of training towards gainful employment, or
- Is a vocational program that provides training for gainful employment and has been in existence for at least two years.

Such an Institution must meet all three criteria listed below:

- Admits students with high school diploma or equivalent; or persons who are beyond the age of compulsory school attendance.
- Is a public, private, or non-profit institution.
- Is accredited or pre-accredited and is authorized to operate in that state.

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Cost of Attendance 624-10-25-15-10-15
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The cost of attendance is calculated by the Institution of Higher Education in establishing a youth's financial need and can vary depending on the student's full-time or part-time status, and where the student is receiving instruction. In general, the definition includes a student's:

- Tuition, fees, and other equipment or materials required of all students in the same course of study.
- Books, supplies and an allowance for transportation costs and miscellaneous personal expenses, including computers
- Room and board (which may vary depending on whether the student lives at home, in student-housing or an apartment)
- Child care expenses for a student who is a parent
- Accommodations related to the student's disability, such as a personal assistant or specialized equipment that is not paid for by another source
- Expenses related to the youth's work experience in a cooperative education program
- Student loan fees or insurance premiums on the student loan.

The Institution of Higher Education calculates a general "cost of attendance" for all students, and they have some flexibility in determining costs of attendance for individual students. For those ETV applicants who have additional expenses that were not included in the school's calculation of the "cost of attendance", it is in their best interest to work with the school to have this figure raised to reflect their actual needs. The Chafee IL Coordinator can assist the student in working with the school as needed.

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ND Department of Human Services (DHS) requires documentation from the Institution of Higher Education to support the ETV applicant's "Cost of Attendance" figure be included in the application packet. DHS will not issue an ETV award without this documentation.

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ETV Lifetime Maximum 624-10-25-15-10-20
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The lifetime maximum ETV award amount for an individual is \$20,000.

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Satisfactory Academic Progress 624-10-25-15-10-25
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An eligible student may continue to receive ETV funds as long as they are in good standing and making progress towards completing their program or graduation. This means earning no less than a 2.0 GPA two semesters in a row or passing marks in a technical/vocational program.

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Probationary Status 624-10-25-15-10-25-05
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A student who is receiving ETV funding will be placed on Probationary Status if their GPA is less than a 2.0 at the end of the semester. The student will have one semester to raise their GPA to 2.0 or higher to remain eligible for ETV funding for subsequent semesters.

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**Credit Hour Standards 624-10-25-15-10-30
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There is no minimum required number of credit hours needed to receive ETV Funds.

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Out-of-State Youth 624-10-25-15-10-35
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The state in which a Foster Care Alumni resides is responsible for providing an eligible youth with a voucher. This provision, however, does not apply to a Foster Care Alumni who already is receiving a voucher and moves to another State for the sole purpose of attending and Institution of Higher Education. In that instance, the youth's original State of residence will continue to provide a voucher to the youth for as long as the youth remains eligible for the program.

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**ETV Recipient's Eligibility for Chafee Flex Funds
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Chafee Flex Funds may not be used to supplement the \$5,000 per academic year ceiling for a youth in the ETV Program for "cost of attendance" related expenses. Appropriations law precludes this. However, if the Chafee IL Coordinator determines that the youth has expenses that are not related to the cost of attendance, therefore not allowable under the ETV, it is an option to supplement ETV funding with Flex Funds.

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Use of ETV Funds to Obtain a GED
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**Use of ETV Funds to Pay Back Previous Student
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Maximum Age Requirements 624-10-25-15-10-55
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Foster Care Alumni must have participated in the ETV Program prior to their 21st birthday to continue receiving ETV funds until the age of 23. There is no flexibility for funding youth who are over age 21 and are currently not receiving the ETV on their 21st birthday. Students are not eligible for the ETV after their 23rd birthday.

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ETV Award Maximum Per Year 624-10-25-15-10-60
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The total amount of educational aid, (including the ETV, Loans, Scholarships, and Grants) may not exceed the cost of attendance.

The maximum ETV allowable per academic year shall not exceed the lesser of \$5,000 or the total cost of attendance, as defined in section 472 of the Higher Education Act of 1965. Academic year is defined as the fall, spring, and summer semesters (in that order) each year.

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ETV Application Process 624-10-20-15-15
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All youth pursuing ETV Funding must currently be involved in, or agree to be involved in, the Foster Care Alumni Component of the Chafee Independent Living Program.

The Chafee IL Coordinator will assist interested participants with applying for an ETV. Applications are available on-line as [SFN 252](#) and [SFN 255](#).

The completed application is forwarded to the Department of Human Services: Children and Family Services Independent Living Administrator for award determination.

The ETV Application Deadlines Include:

Fall Semester = August 15th

Spring Semester - December 15th

Summer Semester = May 15th

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Award Determination 624-10-25-15-20
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Award determinations are made by the Department of Human Services: Children and Family Services Independent Living Administrator and are based on the following:

1. Participant Eligibility
2. ETV Funding Availability
3. Completed and Timely Application Packet

Not all youth who meet the eligibility criteria will receive an ETV award. Likewise, not all youth who receive an ETV will receive the \$5,000 per year maximum.

Under Federal law, States are required to take appropriate steps to prevent duplication of benefits under the ETV and other Federal and Federally supported programs.

The Department cannot change the Cost of Attendance figure, nor can the Department award more than the following formula allows:

Calculation:

Cost of Attendance - Other Federal Funded Grants and Scholarships = the ETV Award.

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Award Disbursement 624-10-25-15-25
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The Department of Human Services will issue the monetary award directly to the Institution of Higher Education.

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**Chafee Independent Living Programming for
Current Foster Care Youth 624-10-30**

**Chafee Independent Living Referrals 624-10-30-05
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The custodian will refer youth to a Regional Chafee Independent Living Program, the Chafee IL Coordinator will determine program priority. The custodian will invite the Chafee IL Coordinator to be a member of the Child and Family Team, and extend invitations to all future meetings. A copy the youth's established care plan will be provided to the Chafee IL Coordinator.

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Chafee Independent Living Plans 624-10-30-10
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The youth should assist in the development of their independent living plan. There should not be a Chafee Independent Living Plan in addition to the youth's established care plan. Identified Chafee Independent Living goals should be attached to and/or incorporated into the youth's care plan whenever possible.

A copy of the youth's care plan must be filed in the Chafee Independent Living Program file.

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Assessing Independent Living Needs 624-10-30-15
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It is required that all foster care youth, age 16 and older, have their independent living strengths and needs assessed.

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**Assessing Foster Care Youth, Participating in the
Chafee Independent Living Program
624-10-30-15-05**

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If the youth is an active participant in the Chafee Independent Living Program, the Chafee IL Coordinator will administer an authorized independent living assessment tool.

The Chafee Independent Living Coordinator will attend the Child and Family Team meeting. The youth assessment will be discussed and incorporated into the care plan as applicable.

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Assessing Foster Care Youth, Age 16-18, Not Participating in the Chafee Independent Living Program 624-10-30-15-10

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All foster care youth, age 16 and older, are required to have their independent living strengths and needs assessed. If the youth is not an active participant in the Chafee Independent Living Program, it is a requirement of the custodian to assess the youth's independent living needs.

Custodians have the option to choose the assessment tool which will best determine the youth's needs. If custodians are unaware of available independent living assessments they may contact a Chafee IL Coordinator for reference. Independent living needs must be incorporated into the youth's care plan.

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Addressing Independent Living Needs 624-10-30-20
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All foster care youth, age 16 and older, are required to have their needs relating to independent living addressed.

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**Addressing Independent Living Needs of Foster Care
Youth, Participating in the Chafee Independent
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Based on the results of the provided assessment(s), the youth, Chafee IL Coordinator and the Child and Family Team will identify goals and incorporate them into the youth's care plan.

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Addressing Independent Living Needs of Foster Care Youth, Not Participating in the Chafee Independent Living Program 624-10-30-20-10

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Based on the results of the provided assessment(s), the youth, custodian, and the Child and Family Team will identify goals and incorporate them into the youth's care plan.

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Independent Living Related Goals 624-10-30-25

Goals for Foster Care Youth Participating in the Chafee Independent Living Program 624-10-30-25-05

(Revised 1/15/2011 ML #3257)

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Goals are individualized according to the youth's strengths and needs. Goals focus on the seven Chafee outcomes as identified in 624-10-10-15-05. Goals are discussed at the Child and Family Team Meeting and are incorporated into the established care plan. The Chafee IL Coordinator, in conjunction with the Child and Family Team, will collaboratively assist the youth with meeting stated goals.

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**Goals for Foster Care Youth Not Participating in the
Chafee Independent Living Program
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Goals are individualized according to the youth's strengths and needs. Goals focus on the seven Chafee outcomes as identified by in 624-10-10-15-05. Goals are discussed at the Child and Family Team Meeting and are incorporated into the established care plan. The Child and Family Team will collaboratively assist the youth with meeting stated goals. The Chafee IL Coordinator will be available for consultation, as needed.

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Independent Living Related Tasks 624-10-30-30

**Task Responsibility for Youth Participating in a
Regional Independent Living Program
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(Repealed 1/15/2011 ML #3257)

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**Task Assignment for Youth Not Participating in a
Regional Independent Living Program
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**Chafee Independent Living Programming for Foster
Care Alumni 624-10-35**

**Chafee Independent Living Referrals for Foster Care
Alumni 624-10-35-05**

(Revised 1/15/2011 ML #3257)

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Custodians are required to inform foster care youth, who are aging out of care, of services available to them through the Chafee Independent Living Program.

Chafee IL Coordinator are required to provide services to eligible youth who have aged out of foster care and who agree to be active participants in the program.

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**Chafee Independent Living Plans for Foster Care
Alumni 624-10-35-10**

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Chafee IL Coordinators should continue to use the Wraparound Process whenever possible after a youth has been discharged from foster care and continues to participate in the Chafee Independent Living Program.

When a youth is discharged from foster care and no longer has an established care plan, the creation and use of an individualized Chafee Independent Living Plan is required.

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**Assessing Independent Living Needs of Foster Care
Alumni 624-10-35-15**

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All Foster Care Alumni entering the Chafee Independent Living Program will have their independent living needs assessed by using the ND CFCFIP Assessment.

The Chafee IL Coordinator will help the youth develop a Chafee Independent Living Plan based on the results of the assessment.

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**Addressing Independent Living Needs of Foster Care
Alumni 624-10-35-20**

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All eligible Foster Care Alumni participating in the Chafee Independent Living Program are required to have their needs relating to independent living addressed.

Based on the results of the provided assessment, the youth will receive assistance from the Chafee IL Coordinator to identify goals and incorporate them into the Chafee Independent Living Plan.

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**Independent Living Related Goals for Foster Care
Alumni 624-10-35-25**

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Goals are individualized according to the youth's strengths and needs. Goals focus on the seven Chafee outcomes as identified in 624-10-10-15-05. Goals are incorporated into the youth's Chafee Independent Living Plan. The Chafee IL Coordinator, in conjunction with the team (if applicable) will collaboratively assist the youth with meeting stated goals.

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**Independent Living Related Tasks for Former Foster
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(Repealed 1/15/2011 ML #3257)

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Chafee Flexible Funding 624-10-40
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Flex funds are payments made, or tangible resources given, directly to the eligible youth, or made on behalf of the eligible youth. Flex funds fall into two categories: General or Room and Board.

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General Flex Funds 624-10-40-05
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General Flex Funds may be used to provide reasonable incentives to youth to encourage program participation or goal achievement. These funds may also be used to pay for goods or services on behalf of a youth or young adult. These funds can be applied to a variety of non-housing related expenses that are barriers to a youth's transition. Appropriate use of these funds will improve his or her likelihood for achieving self-sufficiency.

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**General Flex Funds Eligibility Requirements
624-10-40-05-05**

(Revised 1/15/2011 ML #3257)

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To be considered for General Flex Funds a youth must:

1. Be between the ages of 16 and 21, **and**
2. Be a current foster care youth, or have been in foster care at the age of 16 or older, **and**
3. Be participating in a Chafee IL Program, **and**
4. Have an established care plan or Chafee IL Plan.

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Accessing General Flex Funds 624-10-40-05-10

**For Current Foster Care Youth 624-10-40-05-10-05
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The Chafee IL Coordinator will document the need and approved flex funding amount on the Chafee Flex Funding Request Form. The Child and Family Team may be consulted to discuss significant funding requests.

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For Foster Care Alumni 624-10-40-05-10-10
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The Chafee IL Coordinator will document the need and approved flex funding amount on the Chafee Flex Funding Request Form.

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General Flex Fund Determination 624-10-40-05-15
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The Chafee IL Coordinator will make the final determination regarding the flex funding request. The determination will be based on need and availability of funding. If necessary, the Child and Family Team can be consulted, as well as the Independent Living Administrator to assist with determining appropriate use of flex funds.

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General Flex Fund Cap 624-10-40-05-20
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\$250.00 per youth per federal fiscal year (October 1 – September 30).

Eligible youth are not “entitled” to flex funds. Due to the limited amount of funds available, most youth will not receive this amount. Requests will be prioritized by the youth need.

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Room and Board Flex Funds 624-10-40-10
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Room and Board Flex Funds are used to assist youth with rent, deposits, room and board arrangements, and utilities. Funding is intended to help youth get moved into a permanent home, not to prolong unnecessary dependency, nor to pay for continued residential treatment.

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**Room and Board Flex Funds Eligibility Requirements
624-10-40-10-05**

(Revised 1/15/2011 ML #3257)

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To be considered for Room and Board Flex Funds a youth must:

1. Be between the ages of 18 and 21, and
2. Have “aged out of foster care”, and
3. Be participating in the Chafee IL Program, and
4. Have a Chafee Independent Living Plan.

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**Accessing Room and Board Flex Funds
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**For Eligible Foster Care Alumni 624-10-40-10-10-05
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The Chafee IL Coordinator will document the need and approved flex funding amount on the Chafee Flex Funding Request Form.

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**Room and Board Flex Fund Determination
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The Chafee IL Coordinator will make the final determination regarding the flex funding request. The determination will be based on need and availability of funding. If necessary, the Independent Living Administrator can be consulted to assist with determining appropriate use of flex funds.

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Room and Board Flex Fund Cap 624-10-40-10-20
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\$1,000 per youth per lifetime.

Eligible youth are not “entitled” to flex funds. Due to the limited amount of funding available, most youth will not receive these amounts. Requests will be prioritized by youth need.

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Flexible Funding Guidelines 624-10-40-15
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Regional Chafee Independent Living Programs will be provided with a flex fund budget. This will be the total amount of funds available to the Region for the fiscal year, and there will be no additional funds available from the Department. These funds are to be made available to eligible youth, who are actively participating in services with the Chafee IL Coordinator throughout the region, not just the county where the program is located.

The Chafee IL Coordinators are responsible for tracking these expenditures to assure that they do not pay out more funds to youth than can be reimbursed. These funds are to be used in their entirety as a flexible funding source to assist youth with meeting the goals on their established care plan/Chafee IL Plan. Agencies will have the flexibility to develop their own procedures regarding the disbursement of funds to youth.

The following state and federal requirements must be followed by agencies providing Chafee services:

- Chafee IL Coordinators must complete the Chafee Funding Request Form documenting youth eligibility and the funding justification.
- Youth receiving funding must be full participants in the Chafee IL Program and have an established care plan or Chafee IL Plan.
- Funding will be utilized to meet the transition goals specific to the youth's needs.
- The Chafee Independent Living Program is not to be used as strictly a "funding source". The funding is limited, and existing community resources and other

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funding sources should be exhausted prior to utilizing Chafee funds.

- Flex funds can only be dispersed to youth meeting eligibility criteria.
- Provider agencies are responsible for documenting and keeping receipts of all program and youth flex fund expenditures.
- Provider agencies must record individual youth expenditures; clearly indicating which expenditures are designated General Flex and which are Room and Board Flex Funds.
- Funding expenditures will be viewed annually during the Provider Agency Quality Assurance Review and will be reported to the Department of Human Services in the year-end report.
- 100% of flex funds must be used as direct financial assistance and/or incentives to youth. Any remaining funds will be returned to the Department each year.
- Agencies will not be reimbursed for flex fund expenditures over and above the annual amount awarded to the agency.
- Provider Agencies must submit the total monthly flex fund expenditures on the **Independent Living Monthly Claim Form**, to the Department on a monthly basis.
- County provider agencies will be reimbursed by submitting **SFN 119** to the Department on a monthly basis.
- Contracted private provider agencies will be reimbursed by submitting [**SFN 1763**](#) to the Department on a monthly basis.

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Flex Fund Expenditures Not Allowed 624-10-40-20
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Flexible Funds are provided in order to help eligible youth successfully transition from foster care to self-sufficiency. Any expenditure that does not meet the above principle for the use of Chafee funds is not allowed.

Chafee funds may not be used to take the place of (supplant) Federal or state funds that are otherwise available for the same purposes. Federally funded day care, subsidized housing, foster care administration and training, adoption assistance, TANF, Child Protective Services, etc. are federally funded programs that may also assist Chafee eligible youth.

Additionally, Chafee funds may not be used to match other Federal Funds. Extreme caution should be exercised when using Chafee funds to assure that supplantation does not occur. If a worker is considering using Chafee funds for an expense that would have been paid from other sources; were these funds not available? Supplantation should be ruled out prior to proceeding and efforts to avoid supplantation should be documented on the Chafee Funding Request Form.

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**Independent Living Programming in Relation to
Permanency 624-10-45**

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A decision to provide independent living services to a youth does not absolve the state from continuing to make reasonable efforts toward permanency for the youth. Independent living is not a permanency goal, and is not an alternative to adoption for children who are eligible. The Act specifies that enrollment in independent living programs should occur concurrently with continued efforts to locate and achieve permanency.

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Focus on Permanent Connections 624-10-45-05
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All youth in foster care have some emotional attachments to others in order to have survived. They have created their own “families.” These “families” may consist of friends, parents of friends, current and/or former foster parents, teachers, coaches, cottage parents, maintenance staff, relatives, older siblings or friends who are now adults, neighbors, church members, Guardians ad Litem, social workers, employers, counselors, etc. We need to ask these youth about these connections and to help them strengthen these relationships. There are often more than a dozen people currently in each youth’s life that could be approached about offering a permanent home to the youth. Asking youth to invite persons of their own choosing to participate in their Child Family Team meetings helps us know who some of these people are.

Recommendations:

1. Seeking a mentor program and match youth with a volunteer who has similar interests;
2. Research interests of relatives, neighbors, and friends who were once involved with the youth. but have since lost contact;
3. Contact older siblings;
4. Help youth develop Eco-maps identifying their support systems; and
5. Involve youth in volunteer activities that allow for them to engage with adult volunteers/role models.

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Even if these activities or efforts do not result in adoptive placements for foster care youth, they will help youth develop friendships and supports that they will need and want as adults.

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Chafee Eligibility for Out-of-State Youth 624-10-50
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If a youth in foster care, who meets eligibility for the Chafee Independent Living Program is Programming, is placed in another state, the state of origin must fund the identified services for that youth. The sending state is also responsible for foster care maintenance payments and case planning, which includes a written description of the programs and services that will be provided to help youth age 16 or older prepare for the transition from foster care to independence.

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**Chafee Eligibility for Youth in Kinship or Relative
Foster Care Placements 624-10-55**

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Foster youth placed in Kinship or Relative Care Placement, who are under the custody of the state, are eligible for consideration in the Chafee Independent Living Program. A kinship or relative placement is considered a foster care placement and the youth is eligible for general flex funds and services based on priority.

For the purposes of Room and Board flex funding and the ETV; youth in kinship or relative care placements, must meet the definition of “aging out of foster care”. Chafee IL Coordinator’s will identify eligibility and youth priority status according to funding guidelines, youth’s individualized needs, and service availability.

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**Chafee Eligibility for Youth Who Enter Guardianship
624-10-60**

(Revised 1/15/2011 ML #3257)

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Youth who enter Guardianship from foster care, after age 16, are eligible for consideration in the Chafee Independent Living Program as a Foster Care Alumni.

For the purposes of flex funding and ETV; youth who enter Guardianship, regardless of their age, are not eligible for Room and Board Flex Funds or the ETV. However, these youth are eligible for consideration for General Flex Funds.

Chafee IL Coordinator's will identify youth eligibility and priority status according to funding guidelines, youth's individualized needs, and service availability.

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**Chafee Eligibility for Youth Who Were Adopted or
Enter a Kinship Guardianship 624-10-65
(Revised 1/15/2011 ML #3257)**

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Youth who were adopted from foster care or entered kinship guardianship, after age 16, are eligible for consideration in the Chafee Independent Living Program; providing they meet all criteria excluding the “aging out of foster care” criteria.

For the purposes of flex funding and the ETV; youth who were adopted or entered kinship guardianship, regardless of their age, are not eligible for Room and Board Flex Funds. However, if adopted or entered kinship guardianship after age 16 they are eligible for consideration for General Flex Funds and the ETV.

Chafee IL Coordinator’s will identify youth eligibility and priority status according to funding guidelines, youth’s individualized needs, and service availability.

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Chafee Eligibility for Incarcerated Youth 624-10-70
(Revised 1/15/2011 ML #3257)

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Youth who are incarcerated are not eligible for the Chafee Independent Living Program services or funds. If the incarcerated youth was previously in foster care and is in need of transitional services, after their incarceration period they are eligible for consideration in the Current Foster Care Youth and/or Foster Care Alumni Components of Chafee.

For the purposes of flex funding and the ETV; youth who are no longer incarcerated and meet Chafee requirements are eligible for consideration for General Flex Funds. Youth must meet the definition of “aging out of foster care” to be eligible for Room and Board Flex Funds and the ETV.

Chafee IL Coordinator’s will identify youth eligibility and priority status according to funding guidelines, youth’s individualized needs, and service availability.

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**Chafee Eligibility for Undocumented Immigrant Youth
624-10-75**

(Revised 1/15/2011 ML #3257)

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If youth are in the custody of the state child welfare agency, whether or not they are citizens or legal residents of the U.S., they are eligible for all needed child welfare services, including Chafee Independent Living services/funding.

Service providers, caseworkers, and advocates should keep in mind that the process for acquiring legal status is lengthy, and that young people who reach the age of 18 without legal status are at very high risk of detention and /or deportation by immigration authorities.

Unaccompanied minors who enter foster care may be categorically eligible for citizenship under special provisions for juveniles (Special Juvenile Immigrant Status). The child welfare agency is responsible for pursuing this status on behalf of youth in care and for costs incurred in the legal process of pursuing citizenship.

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**Chafee Eligibility for Youth with Disabilities
624-10-80**

(9/15/06 ML 3048)

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All provisions of the Foster Care Independence Act of 1999 are equally applicable to young people with disabilities.

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**Chafee Eligibility for Native American Youth
624-10-85**

(Revised 1/15/2011 ML #3257)

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Chafee Independent Living services and funding are to be made available to Native American children on the same basis as all foster care youth.

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Roles and Responsibilities 624-10-90

Roles and Responsibilities of ND Department of Human Services 624-10-90-05

(Revised 1/15/2011 ML #3257)

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- Administer the Chafee Grant, including Grant Applications, Overall Budget, and Procurement
- Oversee Regional Chafee Independent Living Programs.
- Oversee the Development of the State Plan and Policy.
- Assist Provider Agencies with developing an annual budget for the Regional Chafee Independent Living Program.
- Create and administer Regional Chafee budgets, contracts, and Memorandum of Agreements as required.
- Advocate for the expansion of services at the state level.
- Coordinate quarterly Chafee IL Coordinators meetings/training.
- Monitor Chafee IL Program outcomes.
- Monitor Regional Chafee IL Programs for compliance with state & federal requirements.
- Complete the annual IV-B Federal Report.
- Represent North Dakota at national and regional Chafee meetings and conferences.
- Determine and approve Education and Training Voucher awards.
- Facilitate ND Youth Leadership Board meetings quarterly.
- Review and approve Provider Agencies monthly claim forms.
- Provide reimbursement to Provider Agencies.
- Assist Provider Agencies with filling vacant Chafee IL Coordinator positions as needed.

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**Roles and Responsibilities of Chafee Independent
Living Coordinators 624-10-90-10**

(Revised 1/15/2011 ML #3257)

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- Adhere to State and Federal Chafee Guidelines.
- Consult with the Independent Living Administrator as needed.
- Develop and conduct an effective regional Chafee IL Program.
- Assist custodians identify youth who are age 16 and older and are likely to remain in care until the age of 18.
- Develop a working relationship with youth, their caregivers, custodians, informal supports and social workers, using a positive youth development and wraparound approach.
- Partner with all county social service agencies within the assigned region to include all eligible youth.
- Partner with the broader community to provide a supportive learning environment for youth, which may include engaging community partners in mentoring, job placement, providing tangible supports to the Chafee IL Program, sponsoring youth, educating youth about subjects such as banking, credit, car purchases, comparison shopping, and other life skill areas.
- Participate in Child and Family Team Meetings.
- Administer assessments and develop individualized IL plans.
- Enter all Chafee Independent Living participant required data into the FRAME system.
- Respond to data requests from the Independent Living Administrator in a timely manner.
- Provide required reports to the Independent Living Administrator in a timely manner.
- Participate in required Chafee trainings and quarterly meetings;

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- Assist eligible youth with the ETV process.
- Facilitate an ongoing Regional Youth Leadership Group.
- Assist your Provider Agency with developing an annual budget for the regional Chafee Independent Living Program.
- Verify eligibility for Chafee Flex Funds.
- Assure that Chafee expenditures are allowable.
- Assure that supplantation of funds does not occur.
- Identify and document available Chafee IL match dollars.
- Provide documentation of funding and flex fund expenditures to your Provider Agency's fiscal office on a monthly basis.
- Prepare documentation for the annual onsite review/financial audit.
- Gather input from current/former foster care youth for program design and implementation.
- Advocate for current/former foster care youth and encourage youth to be self-advocates and leaders.

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**Roles and Responsibilities of Chafee Provider
Agencies 624-10-90-15**

(Revised 1/15/2011 ML #3257)

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- Administer programming in accordance with Department of Human Services Chafee Independent Living Policy 624-10.
- Adhere to Chafee State and Federal Guidelines.
- Issue prompt payment in response to approved flexible funding requests made by the Regional Chafee IL Coordinator/s.
- Submit the monthly claim form to the Independent Living Administrator by the 5th day of the subsequent month.
- Submit the completed SFN 119 form (as applicable for county agencies) to Fiscal Administration by the 10th day of the subsequent month.
- Submit the completed SFN 1763 form (as applicable for private provider agencies) to Fiscal Administration by the 10th day of the subsequent month.
- Keep required documentation for all Chafee expenditures, including flex fund expenditures.
- Provide supervision to the Regional Chafee Independent Living Coordinator/s.
- Work collaboratively with the Department to provide regional program supervision.
- Obtain approval from the Independent Living Administrator prior to making program changes.
- Provide a written request to the Independent Living Administrator pertaining to any proposed budget line item changes as needed.
- Fill vacant regional Chafee Independent Living Coordinator positions in a timely manner.

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- Ensure that the regional Chafee Independent Living Coordinator/s meet required qualifications.

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Roles and Responsibilities of Foster Parents
624-05-90-20

(Revised 1/15/2011 ML #3257)

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- Collaborate with the Chafee IL Coordinator and Custodian regarding the youth's needs and goals pertaining to Independent Living.
- Participate in Child and Family Team Meetings.
- Implement agreed upon tasks as identified in the established care plan.
- Provide youth with tools, resources, and hands-on learning experiences relating to Independent Living.

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**Roles and Responsibilities of Residential Facilities
624-10-90-25**

(Revised 1/15/2011 ML #3257)

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- Implement agreed upon tasks as identified in the established care plan.
- Collaborate with the Chafee IL Coordinator and Custodian regarding the youth's needs and goals pertaining to Independent Living.
- Participate in Child and Family Team Meetings.
- Implement programming to meet the youth's identified independent living needs.

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**Roles and Responsibilities of Custodians
624-10-90-30**

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Regarding youth age 16 and older, identified as likely to remain in care until their 18th birthday:

- Identify and refer current foster care youth, age 16 and older, who have been identified as likely to remain in care until the age of 18 to the Chafee IL Coordinator.
- Extend invitations to the Chafee IL Coordinators to attend the Foster Care Child and Family Team Meetings for all youth participating in the Chafee Independent Living Program.
- Incorporate the identified strengths, needs and goals relating to independent living into the care plan.
- Encourage the Foster Care Child and Family Team members to complete identified tasks.
- Encourage the youth to participate in the Foster Care Alumni Component" following their discharge from care until age 21.
- Encourage the youth to participate in the "Education and Training voucher component" following their discharge from care.
- Inform youth that it is an option to remain in foster care past their 18th birthday for the purpose of completing high school, pursuing vocational training, or attending college.

Regarding youth age 16 and older, identified as not likely to remain in care until their 18th birthday:

- Utilize the Foster Care Child and Family Team to assess the youth's strengths and needs pertaining to independent living.
- Determine, with the assistance of the Foster Care Child and Family Team, and the Chafee IL Coordinator, if the youth's

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particular situation warrants a referral to the Regional Chafee Independent Living Program.

- Incorporate the youth's strengths and needs into the tasks and goals pertaining to independent living into the care plan.
- Encourage the Foster Care Child and Family Team members to implement assigned tasks.
- Collaborate with and complete referrals to community partners as needed to address the youth's independent living needs.
- Consult with the Chafee IL Coordinator as needed.

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**Roles and Responsibilities of Community Partners
624-10-90-35**

(Revised 1/15/2011 ML #3257)

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- Collaborate with the Chafee IL Coordinator and Custodian regarding the youth's needs, strengths, and goals pertaining to independent living.
- Participate in Child and Family team Meetings as requested.
- Implement agreed upon tasks as identified in the care plan.

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Youth Leadership 624-10-95

ND Youth Leadership Board 624-10-95-05

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The Department of Human Services will facilitate the organization of quarterly ND Youth Leadership Board meetings at the state level.

Representatives from the regional Youth Leadership Councils will be invited to participate on the ND Youth Leadership Board.

ND Youth Board members assisted in creating the ND Youth Web Site. Please see <http://www.nd.gov/ndyouth>

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Regional Youth Leadership Councils 624-10-95-10
(Revised 1/15/2011 ML #3257)

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Chafee IL Coordinators will implement an ongoing Youth Leadership Council throughout the year.

Representatives from the regional Youth Leadership Councils will be invited to participate on the ND Youth Leadership Board..

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Quality Assurance/Data Collection Measures

624-10-100

(Revised 1/15/2011 ML #3257)

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The Department of Human Services Independent Living Administrator will conduct an onsite annual quality assurance review at each regional office to ensure compliance with state and federal requirements. Each year expectations and information is provided to the regional offices for preparation of the Chafee Independent Living quality assurance review.

Chafee IL Coordinators will follow all required assessment and data collection procedures and provide necessary information to the Independent Living Administrator in a timely manner.

The Chafee Independent Living Program participant data is required for entry by the Chafee IL Coordinators into the ND FRAME System.

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Health Care Directives 624-10-105
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The Patient Protection and Affordable Care Act (P.L. 111-148) was signed by the President on March 23, 2010. The law amended three sections of Titles IV-B and IV-E to ensure that children receiving independent living services, education and training vouchers and those aging out of foster care have been provided information about the importance of a health care directive. Beginning October 1, 2010, North Dakota is required to provide education to foster care youth about the importance of designating another individual to make health care treatment decisions on their behalf if he/she becomes unable to make such decisions and if he/she does not have or does not want, a relative who would otherwise be authorized under State law to make such decisions.

Effective October 1, 2010 foster care case managers must include the health care directive education as part of the youth's transition plan. Chafee Independent Living Coordinators assisting with independent living and the ETV application must ensure that youth receive education on the health care directive as well.

Educational tools provided by the Department to meet requirements:

- Health Care Directive Brochure
- Health Care Directive Form can be downloaded from www.nd.gov/dhs/info/docs/hcdirective.pdf
- Foster Care Discharge Checklist – Add "Health Care Directive" as a discussion item under health topics.

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**National Youth in Transition Database (NYTD)
624-10-110**

(Revised 1/15/2011 ML #3257)

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The National Youth in Transition Database (NYTD), required by the Chafee Foster Care Independence Act of 1999, will track the services and outcomes of youth transitioning from foster care. NYTD requires state child welfare agencies to collect outcome data via a survey of all youth that are in foster care after their 17th birthday, then survey a cohort of those young people again at ages 19 and 21. The state must also collect data on all independent living services provided to youth, such as mentoring, academic support, career preparation, and health education.

North Dakota requires regular data entry into FRAME under:

- Chafee Independent Living Program Participation
- Independent Living Services
- NYTD Survey

Educational tools provided by the Department to meet requirements:

- NYTD Handbook
- FRAME Independent Living Coordinators Guide